

SECRET

Journal - Office of Legislative Counsel
Wednesday - 2 June 1971

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10. (Confidential - GLC) Met with Courtney C. Pace, Administrative Assistant to Senator James Eastland (D., Miss.), and left with him a copy of the Director's letter of 21 May to Senator Sam Ervin (D., N. Car.) restating our position with regard to Senator Ervin's bill, S. 1438. I told Pace we merely wished to keep Senator Eastland up-to-date on our position on this legislation. Mr. Pace said he was completely sympathetic with our request for a complete exemption from this bill and added that he thought S. 1438 was a bad bill even in its general application. He said he never really understood what prompted Senator Ervin to get on the tack he has taken on Government employees' invasion of privacy. He said if he could do any "snooping" on this or help in any way, to let him know. He said he would bring the Senator up-to-date on the situation.

11. (Secret - GLC) Mr. Maury and I met with Bill Woodruff, on the staff of the Senate Appropriations Committee, and left with him a copy of our answers to the three questions posed by Blandford and Slatinshek having to do with questions Chairman Hebert might expect to get on the floor of the House when the Defense procurement authorization bill is taken up there. Woodruff made the statement regardless of what was said in the Senate regarding the intent of the sponsors of the Fulbright amendment, he felt the Agency was clearly in violation of it [REDACTED] He added that he felt that the Agency has been "used" by the Executive Branch in areas in which the Agency was never intended to become involved. He said he thought it was asking too much to expect several key men to bear the responsibility for these programs. He said he did not know what could be done about it, however.

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We also reviewed with Woodruff the status of the Soviet ICBM silo construction. Woodruff said he was very concerned about the amount of information on this subject and other subjects of a sensitive nature which have been put in the public domain.

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Question:

Does the Defense Authorization Bill authorize
funds

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Answer:

This Bill authorizes funds for certain classified activities which are not appropriate for public discussion. I will be glad to go into them privately with any members who are interested.

SECRET/SENSITIVE

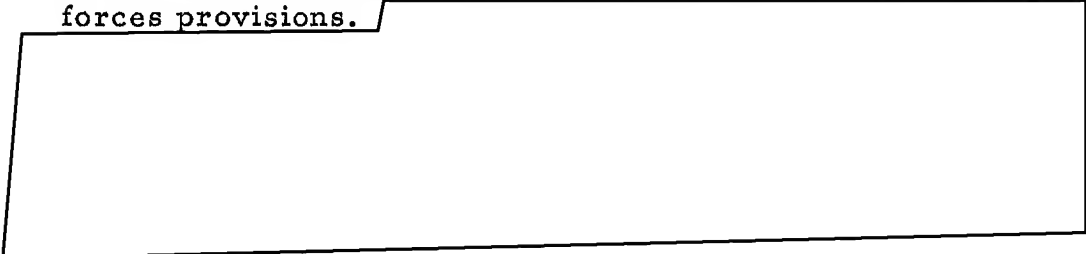
Background:

Section 502 of the current Defense Authorization Act (P.L. 91-441) provides as follows:

Not to exceed \$2,800,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine.... Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.

The last sentence is the so-called Fulbright amendment.

In a long floor debate covering several days, but principally on 20 August 1970, Senator Fulbright argued persuasively that his amendment to the Defense Authorization Bill did no more than carry out the intent of the Senate Armed Services Committee as stated in its report. Senator Stennis in those discussions agreed that the language in the Fulbright amendment was not inconsistent with the intent of the language of the Armed Services Committee report on the free world forces provisions.



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At one point, Senator Stennis requested Senator Fulbright to delete Laos from the wording of the Fulbright amendment indicating the situation was different from Cambodia in that we were already in Laos. Fulbright stated that the amendment did nothing to what was currently going on in Laos. The following exchange between Fulbright and Stennis is pertinent:

Senator Fulbright: "The amendment would carry out the intent of the Armed Services Committee by prohibiting the use of Department of Defense funds to finance Vietnamese or Thai military operations in support of the Cambodian Government. In addition it would go one step further and prohibit the use of Defense Department funds for military actions by these countries in support of the Laotian Government. The amendment will not bother what we give to the Laotians. It will not disturb what has been the past practice in Laos. I do not expect the amendment to affect what has been going on in Laos; that is, the bombing of the Trail, our assistance to Laos, or what our people are doing there because it does not affect that. It is to keep the Vietnamese or the Thais from dragging us into another war."

Senator Stennis: "So the Senator from Arkansas is saying that anything we have going on in Laos now is not to be affected in any way by the amendment he offers?"

Senator Fulbright: "Not that I know of."



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Question:

Will any of the funds authorized by the Defense Authorization Bill be used for the Central Intelligence Agency?

Answer:

This Bill authorizes funds for certain classified activities which are not appropriate for public discussion. I will be glad to go into them privately with any members who are interested.

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Question:

Are any of the funds authorized in this
Bill for Radio Free Europe and Radio Liberty?

Answer:

No. This Bill contains no authorization
for appropriations to be used to provide funds
for the Radios.

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